

AMENDED IN ASSEMBLY JUNE 26, 2003

SENATE BILL

No. 196

Introduced by Senator Kuehl

February 13, 2003

An act to amend Section 13201 of, *and to add and repeal Section 13201.1 of*, the Water Code, relating to California regional water quality control boards.

LEGISLATIVE COUNSEL'S DIGEST

SB 196, as amended, Kuehl. California regional water quality control boards.

Existing law, the Porter-Cologne Water Quality Control Act, requires each California regional water quality control board to consist of 9 members, ~~including, one person who is required to be associated with municipal government and, with a certain exception, another person who is required to be associated with county government~~ *with specific qualifications*.

This bill would require ~~those persons, upon the next vacancy occurring in those respective offices, to be a city council member or mayor, and, subject to that exception, a county supervisor~~ *each regional board to consist of 7 members and, with a certain exception, would revise the qualifications that would be required for the purposes of serving on a regional board. The bill would provide for a transition period in which board members who hold office on December 31, 2003, would continue to serve on a regional board.*

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 13201 of the Water Code is amended to read:

13201. (a) (1) There is a regional board for each of the regions described in Section 13200. Each board shall consist of the following ~~nine~~ seven members appointed by the Governor, each of whom shall represent and act on behalf of all the people and shall reside or have a principal place of business within the region:

~~(1) One person associated with water supply, conservation, and production.~~

~~(2) One person associated with irrigated agriculture.~~

~~(3) One person associated with industrial water use.~~

~~(4) One person associated with municipal government. Upon the next vacancy occurring in this office on or after January 1, 2004, this person shall be a city council member or mayor.~~

~~(5) One person associated with county government. Upon the next vacancy occurring in this office on or after January 1, 2004, this person shall be a county supervisor.~~

~~(6) One person from a responsible nongovernmental organization associated with recreation, fish, or wildlife.~~

~~(7) Three persons not specifically associated with any of the foregoing categories, two of whom shall have special competence in areas related to water quality problems.~~

(A) One person from the public.

(B) Two persons who have training and experience in engineering, geology, hydrology, biology, toxicology, or other scientific or technical fields related to water quality control.

(C) One person associated with water supply or water used for agricultural, municipal, or industrial use.

(D) One person from a responsible nongovernmental organization associated with environmental protection, recreation, or fish or wildlife protection.

(E) Two persons who are a county supervisor, a mayor, or a city council member.

(2) Notwithstanding subparagraph (E) of paragraph (1), a member of a regional board on December 31, 2003, who was appointed pursuant to paragraph (4) or (5) of subdivision (a) of Section 13201, as that section read on December 31, 2003, upon the expiration of his or her term, may be appointed to successive

1 *terms on the regional board to occupy an office described in*
 2 *subparagraph (E) of paragraph (1) without regard to whether that*
 3 *person meets the qualification requirements of that subparagraph.*
 4 *A regional board member described in this paragraph may not be*
 5 *appointed to fill the unexpired portion of the term of a board*
 6 *member whose office has become vacant unless that member is*
 7 *qualified to serve pursuant to Section 13201.*

8 (b) All persons appointed to a regional board shall be subject
 9 to Senate confirmation, but shall not be required to appear before
 10 any committee of the Senate for purposes of ~~such~~ confirmation
 11 unless specifically requested to appear by the Senate Committee
 12 on Rules.

13 (c) Insofar as practicable, appointments shall be made in such
 14 manner as to result in representation on the board from all parts of
 15 the region.

16 (d) Notwithstanding subdivision (a), if appointments cannot be
 17 made pursuant to ~~paragraph (5) of subdivision (a) because of the~~
 18 ~~requirements of~~ *subparagraph (E) of paragraph (1), or*
 19 *paragraph (2), of subdivision (a) because of the requirements of*
 20 *Section 13388, those appointments may be made of persons not*
 21 ~~specifically associated with any category.~~ *associated with local*
 22 *government.*

23 SEC. 2. *Section 13201.1 is added to the Water Code, to read:*

24 13201.1. (a) *Notwithstanding Section 13201, each member*
 25 *of a regional board on December 31, 2003, shall continue in office*
 26 *until his or her term expires, or until the office is deemed vacant*
 27 *as provided in Sections 1774 to 1774.7, inclusive, of the*
 28 *Government Code. Except as provided in paragraph (2) of*
 29 *subdivision (a) of Section 13201, a regional board member*
 30 *described in this paragraph may not be appointed to another term*
 31 *on the regional board, or appointed to fill the unexpired portion of*
 32 *the term of a board member whose office has become vacant,*
 33 *unless that member is qualified to serve pursuant to Section 13201.*

34 (b) *This section shall remain in effect only until January 8,*
 35 *2008, and as of that date is repealed, unless a later enacted statute,*
 36 *that is enacted before January 1, 2008, deletes or extends that date.*